IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2282 OF 2003
IN
INCOME TAX APPEAL (LOD) NO.746 OF 2003

The Commissioner of Income-tax ..Appellant.

V/s.

M/s.Sainara Properties Pvt. Ltd. ..Respondent.

Mr.A.Kotangale with P.S. Sahadevan for appellant.

Mr.J.D. Mistry with R. Darab for respondent.

CORAM : DR. S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 6TH MARCH, 2007.

P.C. :-

Heard the learned counsel for the appellant and the respondent. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein, it is clear that there is no case of inaction, negligent or want of bonafides on the part of the applicant. Hence notice of Motion is made absolute in terms of prayer clause (a).

(DR.S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)